



Dated: June 03, 2020
The following is SO ORDERED:


Paulette J. Delk
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

IN RE:)	
)	Case No. 20-22481
)	
Carolyn Hill,)	Chapter 13
)	
Debtor.)	
)	

**CONSENT ORDER REGARDING MOTION FOR
RELIEF FROM AUTOMATIC STAY AND ABANDONMENT**

The Parties to this matter, by their signatures hereinbelow, agree to the Motion for Relief from the Automatic Stay and Abandonment being resolved as to certain real property of the Debtor having an address of 7655 Hedgington, Memphis, Tennessee 38125 ("Property"), as follows:

As to SN Servicing Corporation, servicer for U.S. Bank Trustee National Association, as trustee of the Chalet Series III Trust ("Movant"), its successors, transferees and assigns, the stay of 11 U.S.C. § 362(a) is conditioned as set forth below.

Any post-petition acts taken by Movant to enforce its remedies regarding the Property do not constitute a violation of the stay. Movant may enforce its remedies to repossess or otherwise obtain possession and dispose of the Property in accordance with applicable nonbankruptcy law.

Should the Debtor fail to confirm a proposed plan, the automatic stay in 11 U.S.C. § 362(a) is terminated with respect to the Property and Movant shall have immediate relief from the automatic stay, the Property being abandoned from the bankruptcy estate, and, Fed. R. Bankr. P. 4001(a)(3) will not apply.

Should the Debtor confirm a plan and thereafter miss a payment under that confirmed plan, Movant, its successors and assigns, may file a single document styled “*Notice of Default*” and serve the Debtor, her counsel, and the Chapter 13 Trustee with the Notice of Default. Thereupon the Debtor shall have ten (10) days upon which to cure the default. If she fails to cure such default within ten (10) days of the notice being filed, Movant, its successors and assigns, shall submit an Order of Failure to Cure Default, directing that the Chapter-13 Trustee shall cease remitting payments to Movant, and Movant shall have immediate relief from the automatic stay, the Property abandoned from the bankruptcy estate, and, Fed. R. Bankr. P. 4001(a)(3) will not apply.

Movant may file a Notice of Post-Petition Fees, Expenses, and Charges for the Movant’s filing fees and costs for the Motion for Relief from Automatic Stay, for the Response to the Motion to Extend the Automatic Stay, and for the Proof of Claim.

Should this bankruptcy case, 20-22481, be dismissed for any reason, or the automatic stay terminated, the Debtor or any of her successors or assigns in the Property

may not file a bankruptcy petition for one year from the date of dismissal of the case or the termination of the automatic stay that includes the Property.

In the event there is a foreclosure completed following the above-referenced stay relief while this bankruptcy case remains open, and there are any surplus funds, or if the sale of the property results in funds in excess of the amount of the secured claim, then said excess proceeds shall be turned over to the Trustee by Movant and the Trustee shall apply any excess proceeds as an additional dividend to the unsecured creditors.

IT IS SO ORDERED.

APPROVED:

Trustee:

/s/ George W. Stevenson
George W. Stevenson
Chapter 13 Trustee
5350 Poplar Avenue, Suite 500
Memphis, TN 38119-3697

/s/Edward D. Russell
Edward D. Russell
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/s/Gene Bell
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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of May 2020, a true and correct copy of the Consent Order on Motion for Relief from Automatic Stay was served by regular mail upon Carolyn Hill, 7655 Hedgington, Memphis, TN 38125. I also caused a copy to be served by electronic means as follows: counsel for the Debtor, Gene Bell, 2600 Poplar, Suite 210, Memphis, TN 38112; George W. Stevenson Chapter 13, 5350 Poplar Avenue, Suite 500, Memphis, TN 38119-3697; United States Trustee, One Memphis Place, 200 Jefferson Ave., Suite 400, Memphis, TN 38103, and electronically to those identified on the CM/ECF system for this case.

By: /s/Edward D. Russell
Edward D. Russell